

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES CONTANT, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA
CORPORATION, *et al.*,

Defendants.

Case No. 17-cv-3139-LGS

(related to No. 13-cv-7789-LGS)

ECF CASE

**NOTICE OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENTS AND CERTIFICATIONS OF THE PROPOSED SETTLEMENT
CLASSES FOR SETTLEMENT PURPOSES**

PLEASE TAKE NOTICE that, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, in the Courtroom of the Honorable Lorna G. Schofield, Plaintiffs will, and hereby do, move this Court, pursuant to Fed. R. Civ. P. 23(e), for an Order:

- (1) Granting preliminary approval of the proposed Settlement Agreement with Standard Chartered Bank; and the proposed Settlement Agreement with Société Générale;
- (2) Certifying the proposed Settlement Classes for settlement purposes;
- (3) Appointing Plaintiffs as class representatives of their respective Settlement Classes for settlement purposes;
- (4) Appointing Berger Montague PC as Settlement Class Counsel;

- (5) Approving Plaintiffs' proposed designations of Huntington National Bank as the Escrow Agent and Heffler Claims Group as the Settlement Administrator;
- (6) Setting a schedule for various settlement deadlines set forth in the Settlement Schedule proposed in Paragraph 32 of the Proposed Order submitted with this Motion; and
- (7) Staying all proceedings in the Action with respect to the Settling Defendants until further order of the Court, except as may be necessary to implement the Settlement or comply with the terms thereof.

Submitted herewith in support of this Motion are the following:

- (1) Memorandum in Support of Plaintiffs' Motion for Preliminary Approval of Settlements and Certifications of the Proposed Settlement Classes for Settlement Purposes;
- (2) Details Supporting Preliminary Approval Pursuant to Rule III.C.5 of the Court's Individual Rules and Procedures for Civil Cases;
- (3) Declaration of Michael Dell'Angelo in Support of Plaintiffs' Motion for Preliminary Approval of Settlements and Certifications of the Proposed Settlement Classes for Settlement Purposes, and the exhibits thereto; and
- (4) Proposed Order Preliminarily Approving Settlements and Certifying the Settlement Classes for Settlement Purposes.

Dated: November 22, 2019

Respectfully submitted,

/s/ Michael Dell'Angelo

Michael Dell'Angelo

Michael J. Kane

Joshua T. Ripley

BERGER MONTAGUE PC

1818 Market Street, Suite 3600
Philadelphia, PA 19103
Tel: (215) 875-3000
Fax: (215) 875-4604
mdellangelo@bm.net
mkane@bm.net
jripley@bm.net

Proposed Settlement Class Counsel

Garrett W. Wotkins
**SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNs LLP**
8501 North Scottsdale Road, Suite 270
Scottsdale, AZ 85253
Tel: (480) 428-0142
Fax: (866) 505-8036
gwotkins@schneiderwallace.com

Counsel for Plaintiffs and the Proposed Classes

Joseph C. Peiffer
PEIFFER WOLF CARR & KANE, APLC
201 St. Charles Ave. Suite 4610
New Orleans, LA 70170
Tel: (504) 523-2434
Fax: (504) 523-2464
jpeiffer@pwcklegal.com

Counsel for Plaintiffs and the Proposed Classes

R. Bryant McCulley
Stuart McCluer
MCCULLEY MCCLUER PLLC
701 East Bay Street
Suite 411
Charleston, SC 29403
Tel: (843) 444-5404
Fax: (843) 444-5408
bmcculley@mcculleymccluer.com
smccluer@mcculleymccluer.com

Counsel for Plaintiffs and the Proposed Classes

